



California State Board of Pharmacy

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STATE AND CONSUMER SERVICES AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GRAY DAVIS, GOVERNOR

LICENSING COMMITTEE

March 7, 2002

Department of Consumer Affairs

400 R Street, Suite 4070

Sacramento, CA 95814

9:00 a.m. – 12 noon

This committee meeting is open to the public and is held in a barrier-free facility in accordance with the Americans with Disabilities Act. Opportunities are provided to the public to comment on each agenda item. Members of the board who are not on the committee may be attending and may comment on the committee's agenda.

A. Call to Order 9:00 a.m.

**B. Pharmacy Manpower Task Force – Proposed Solutions
Review, Discussion and Recommendations to the Board of Pharmacy**

**C. Implementation of Business and Professions Code section 4053(b)(3) –
Proposed Guidelines for Wholesale Exemptee Training Program**
(The proposed guidelines will be provided at the meeting.)

D. Proposed Strategic Objectives for 2002/03

Adjournment

12 noon

Pharmacy Manpower Task Force

Solutions # and Description		Yes	No	Abstain	*Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
B-2:	Require the Pharmacy Technician Certification Board (PTCB) examination as a qualification for technician registration. All technicians must demonstrate a minimum level of competencies (test, classroom, and experience) in order to be registered. Must include a grandfather provision with a window of opportunity to take an exam and pass.	11	-	1	Legislation with authority to promulgate regulations (if necessary).	B & P 4115, 4115.5, 4202 CCR 1793-1793.7			Significant
C-1:	Expansion of the role of technicians could alleviate the manpower shortage when appropriate quality assurance processes are in place with the goal of increasing the pharmacist's role in performing patient care services.	9	-	-	Legislation	Current authority is to define Non-discretionary duties. Ratio for community pharmacies setting ratio and discretionary duties set through legislation.			Absorbable
C-4:	Expansion of ratio and role of technicians could mitigate shortage when appropriate quality assurance is in place ensuring the pharmacist's role in performing patient care services.	11	-	-	Legislation for community pharmacy ratio.				Absorbable

Pharmacy Manpower Task Force

Solutions # and Description		Yes	No	Abstain	*Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
C-7:	Allow only PTCB certified technicians to check technicians in the inpatient hospital pharmacy for unit dose drug distribution systems.	6	5	2	Regulation	Board policy is to support legislation to implement tech-check-tech pursuant to specific requirements in an in-patient hospital pharmacy.			Moderate
C-8:	Increase the number of pharmacist interns a pharmacist can supervise. Modification: Change the number of pharmacy interns a pharmacist may supervise to two at any one time.	10	1	-	Legislation	B & P C 4114		Statregic Plan 2001/02 Review Intern Program	Absorbable
C-3:	Eliminate the clerk-typist ratio.	3	8	-	Regulation	CCR 1793.3 1 to 1 ratio			Absorbable

Pharmacy Manpower Task Force

Solutions # and Description		Yes	No	Abstain	*Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
A-4:	<p>Expansion of Central Processing could mitigate the pharmacists shortage with the following caveats:</p> <ol style="list-style-type: none"> 1. Protect patient confidentiality. 2. Right to face-to-face counseling. 3. New Rx transmitted electronically to pharmacy. 4. Pharmacist has discretion to where Rx gets “pushed.” 5. Ability to check patient profile. Payer usually does cross-checking. (In practice, this might be impossible). 6. Electronic data is available to everyone that needs it. 7. If done correctly, this process is transparent to patient. <p>Any other information that may be pertinent to patient care is available.</p>	10	-	1	Clarify whether expansion is to the use of central processing (refill) or to new settings (in-patient hospital) pharmacies, expansion of functions, or is it more of an issue for profession implementation.	<p>Electronic prescriptions</p> <ul style="list-style-type: none"> • Drug utilization review & counseling outside pharmacy • Central refill • Confidentiality mandates already exist <p>B & P 4051 CCR 1707.4</p>			
A-5:	<p>Facilitate the increased use of technology and distribute information on how technology can improve efficiencies. Included are the following caveats:</p> <ol style="list-style-type: none"> 1. Empower the Board of Pharmacy to authorize projects that evaluate, test, and implement new technology that would enhance patient care all within the current laws rules, and regulations. 2. Technology should be safe, effective, patient-centered, timely, efficient and equitable. 	10	-	(one member left early to catch a flight).	<p>Board Action.</p> <p>Profession’s responsibility to evaluate what is efficient.</p> <p>Board’s responsibility is to determine if legal and remove barriers.</p>				Significant
D-1:	<p>Offer the exam more than 2 times per year with the goal of moving toward offering it on a continuous basis.</p>	12 unan- imous	-	-	Board Action	Support the use of NAPLEX and CA MPJE			Significant if not NAPLEX otherwise minor savings

Pharmacy Manpower Task Force

Solutions # and Description		Yes	No	Abstain	Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
D-4:	Consider re-testing multiple choice or essay section only if only one is failed. Furthermore, the board should evaluate whether the essay adequately measures what it is supposed to.	12 unan- imous	-	-	Regulation	CCR 1724			Significant
D-7:	Assist applicants preparing for the California pharmacist licensing exam by: 1. Developing (or fostering the development of) educational programs and information on how to take the pharmacist exam. 2. Request that outside agencies (schools of pharmacy and private educational organizations) develop exam workshops on how to take the California Pharmacist Exam. 3. Develop and distribute an informational brochure that contains simple essay questions for the California pharmacist licensing exam.	11	-	1	Board Action Currently Candidate Review Guide is mailed to all candidates. Responsibility of schools and professional associations.				Significant
H-3:	Allow the board to grant waivers to keep pace with innovative, technological and other advancements to enhance the practice of pharmacy.	12	-	one member left the room	Legislation			2001/02 Licensing Strategic Objective #1	Moderate

Pharmacy Manpower Task Force

Solutions # and Description		Yes	No	Abstain	Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
I-2:	Provide scholarships/grants to pharmacy students who will then practice in underserved areas of California. It was suggested that one way to do this is to sponsor legislation providing scholarships and forgiving student loans by creating a health care workers foundation to attract and retain pharmacists in underserved areas including communities where there is a pharmacist shortage. This entity should be a nonprofit corporation with the goal of raising funds from foundations and government agencies and other sources to ensure patient access to pharmacists' care and prescription services. Motion to vote 1-2 and use suggested statement as one way it might be accomplished. Seconded.	12 unan- imous			Legislation				Significant
E-1:	The task force rejects the concept of reciprocity.	6	5	2	Legislation	Board supports the use of NAPLEX			
E-4:	The task force rejects the idea of a temporary one-year license for out of state pharmacists.	8	4	One member left	Legislation				
D-8:	The task force rejects the notion of increasing the number of failed attempts from 4 to 6 before an applicant has to take additional coursework.	8	1	3	Legislation	B & P C 4200.1			

Pharmacy Manpower Task Force

Solutions the panel voted not to discuss:		Yes	No	Abstain	Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
A-3:	Limit the number of telephones.				Legislation				
C-6:	Create a “Pharmacist’s Assistant” classification.				Legislation				Significant
F-6:	Allow all community pharmacies to be automatically enrolled in all HMOs as a universal provider.				Legislation				
G-1:	Allow the pharmacist-in-charge to be in-charge of more than one pharmacy.				Regulation	1709.1			Moderate
G-3:	Require patient consultation on all new and refill prescriptions.				Regulation	1707.2			Absorbable
G-6:	Require pharmacies requesting new pharmacy licenses have sufficient pharmacist hired, prior to opening, without raiding other pharmacies.				Legislation				Significant
G-10:	Implement quality assurance programs to measure prescription workload and errors.				Regulation (quality assurance to prevent errors from reoccurring).	1711			Absorbable
H-1:	Require community pharmacies to be accredited.				Legislation				Significant if required as a condition of licensure.

Pharmacy Manpower Task Force

Solutions the panel voted not to discuss - Continued:		Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
H-2:	Limit the number of pharmacy permits.	Legislation				Significant
I-6:	Do nothing.					
I-7:	Re-establish the Bachelor of Pharmacy four-year degree program to oversee the drug distribution, pharmacy technician dispensing and to manage the pharmacy.	ACPE Issue				
Solutions not considered by Pharmacy Manpower Task Force:		Legislation/Regulation Board Action	Current Board Authority/ Policy	Recommend Board Policy	Strategic Plan 2002/03	Cost to Implement/ Enforce
Require pharmacists to only fill a prescription that is printed or typed in a legible manner.		Regulation	CCP 1761 Laws authorize • Oral orders • Electronic transmission of prescription			

Pharmacy Manpower Task Force

*Headings Chart

Legislation/Regulation/Board Action	<p>What action is required to implement the proposed solution?</p> <ul style="list-style-type: none">• Legislation: It is a statute change. A bill must pass the Legislature and be signed by the Governor.• Regulation: It is a regulation change. Through the regulatory hearing process, the board can adopt, amend or repeal a regulation.• Board Action: The board can vote to make and implement the change.
Current Board Authority/Policy	<p>What is the existing statutes or regulations that establishes the current requirements or would need to change in order to implement the proposed solution? This column also reflects current board policy on the proposed solution.</p>
Recommend Board Policy	<p>Does the Licensing Committee want to recommend to the board a policy position regarding the proposed solution? If so what would that position be?</p>
Strategic Plan 2002/03	<p>If the Licensing Committee decides to recommend that the board support a proposed solution, does the Licensing Committee want to recommend to the board that the proposed solution be included in the board's strategic plan as a strategic objective?</p>
Cost to Implement/Enforce	<p>This is an estimate of what it would cost the board to implement and enforce the proposed solution. An actual fiscal analysis has not been prepared.</p>